any educational, research, cultural, athletic, recreational, social, or other program or activity; the performance evaluation, discipline, counseling of students; making available to students any housing, eating, health, or recreational service; affording work opportunities, or scholarship, loan or other financial assistance to students; and making available for the use of students any building, room, space, materials; equipment, or other facility or property.

9. Does the assurance of nondiscrimination apply to the entire operation of an institution?

A. Insofar as the assurance given by the applicant relates to the admission or other treatment of individuals as students, patients, or clients of an institution of higher education, a school, hospital, nursing home, center, or other institution owned or operated by the applicant, or to the opportunity to participate in the provision of services, financial aid, or other benefits to such individuals, the assurance applies to the entire institution. In the case of a public school system the assurance would be applicable to all of the elementary or secondary schools operated by the applicant.

10. What about a university which operates several campuses?

A. Section 80.4(d)(2) of the regulation provides for a more limited assurance only where an institution can demonstrate that the practices in part of its operation in no way affect its practice in the program for which it seeks Federal funds. This would be a rare case.

11. If an applicant intends to make use of other individuals to help carry out the federally assisted program, does the requirement not to discriminate apply to such subgrantee or contractor.

A. It does. The applicant must require any individual, organization, or other entity which it utilizes, to which it subgrants, or with which it contracts or otherwise arranges to provide services, financial aid, or other benefits under, or to assist it in the conduct of, any program receiving Federal financial assistance extended to the applicant by the Department, or with which it contracts or otherwise arranges for the use of any facility provided with the aid of Federal financial assistance for a purpose for which the Federal financial assistance was extended, to comply fully with title VI of the Civil Rights Act of 1964 and the regulation of the Department of Health, Education, and Welfare issued thereunder.

12. Must this assurance of nondiscrimination by the subgrantee, etc., be in writing?

A. In the case (1) of any contractual or other arrangement with another such individual or entity which will continue for an indefinite period or for a period of more than 3 months, (2) of any subgrant, or (3) of any conveyance, lease, or other transfer of any real property or structures thereon provided with the aid of Federal financial assistance extended to the applicant by the Department, the applicant shall obtain from such other person, subgrantee, or transferee, an agreement, in writing, enforceable by the applicant and by the United States, that such other individual or entity, subgrantee, or transferee will carry out its functions under such subgrant, or contractual or other arrangement, or will use the transferred property, as the case may be, in accordance with title VI of the act and the regulation will otherwise compley herewith.

13. What obligations does the applicant have to inform beneficiaries, participants, and others of the provisions of the regulation?

A. The applicant must make available to beneficiaries, participants, and other interested persons information regarding the provisions of the regulation and protections against discrimination provided under title VI of the Civil Rights Act. The Department will issue shortly more detailed instructions on carrying out this phase of the regulation.

14. What obligations does the applicant have to keep records and to make them available to the Department?

A. From time to time, applicants may be required to submit reports to the Department, and the regulation provides that the facilities of the applicant and all records, books, accounts, and other sources of information pertinent to the applicant's compliance with the regulation be made available for inspection during normal business hours on request of an officer or employee of the Department specifically authorized to make such inspections. More detailed instructions in this regard will also be forthcoming from the Department in the near future.

15. Must separate assurance forms be filed with each application?

A. As a general rule once a valid assurance is given it will apply to any further application as long as there is no indication of a failure to comply.

Mr. MORSE. Mr. President, the Waggonner amendment has caused grave concern to many. I read the following telegram I have received as indicative of that concern:

PALO ALTO, CALIF.,
August 30, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

DEAR SENATOR MORSE: According to New York Times dispatch in the San Jose Mercury, the higher education bill as passed by the House includes an amendment by Representative JOE WAGGONNER, Louisiana Democrat, exempting college fraternities from title 6 of the Civil Rights Act of 1964.

The Mercury quotes Representative ADAM CLAYTON POWELL indirectly as saying he has no official concern with discrimination of private groups, especially when they receive no public funds; the facts are: (1) several colleges and universities now allocate Federal loan funds for student housing to construction of college owned fraternity facilities; (2) fraternities receive tangible and intangible benefits in varying degrees from the moment they are recognized by a college or a university; (3) this amendment would be the first real break in the type ban against discrimination on campus provided by the Health, Education, and Welfare regulations issued under title 6 with White House approval.

Passage of the Waggonner amendment would seriously undermine current efforts to end racial discrimination by fraternities through joint action of undergraduates and their universities. It is specifically designed to nullify the strong, straightforward stand taken by Education Commissioner Francis Keppel in response to the suspension of the Stanford chapter of Sigma Chi by its national fraternity, as described on pages 14906 and 14907 of the CONGRESSIONAL RECORD for July 1, 1965.

As a life member of Sigma Chi, I hope you and your fellow committee members will block passage of the Waggonner amendment and then kill it in conference with the House it would be the height of irony and shame for the Federal Government to condone racial discrimination in any form on college campuses when students, civil rights workers, and other citizens risk their lives every day for the cause of equality.

ROBERT W. BEYERS.
PORTOLA VALLEY, CALIF.

I have some other material which raises questions as to the danger of the proposed amendment that I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EFFECT OF WAGGONNER AMENDMENT TO H.R. 9567 ON TITLE VI OF CIVIL RIGHTS ACT

On August 26, 1965, immediately before passage of H.R. 9567, the proposed Higher Education Act of 1965, Mr. WAGGONNER proposed an amendment to section 604 (sec. 704 in the bill as reported by the Committee on Education and Labor), which was accepted by Mr. POWELL, the committee chairman, and agreed to by the House. The section, as amended, reads as follows (new material in italics):

"SEC. 604. Nothing contained in this Act *or any other Act* shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, or over the selection of library resources by any education institution; *or the membership practices or internal operations of any fraternal organization, fraternity, or sorority, any private club or any religious organization of any institution of higher education.*"

Mr. WAGGONNER stated that the purpose of the amendment is to make clear that Congress did not intend the Civil Rights Act to be applied in such a manner as to interfere with the membership practices or internal operations of fraternal or social organizations or to authorize withholding of Federal assistance of any kind on such basis (111 CONGRESSIONAL RECORD, 21129).

The language of the amended section, however, appears to go far beyond Mr. WAGGONNER's announced intention. If nothing contained in any act of Congress shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, which is what the amended language literally states, it can plausibly be argued that all educational institutions, from kindergartens to universities, are exempted from all Federal legislation and Executive orders of general applicability affecting their operations, such as, for example, those imposing wage-and-hours requirements and nondiscrimination in employment under Federal contracts.

Whatever may be said as to such other acts, the sponsor's remarks make it clear that the insertion of the words "or any other Act" was specifically intended to refer to title VI of the Civil Rights Act. If all of the amendment had followed the original section 704, so as to read: "Neither this Act nor any other Act shall be construed to authorize * * * any control over the membership practices or internal operations of any fraternal organization * * *," then only the sponsor's intention, as announced in the debate, would have been carried out. But the words "or any other Act" are inserted in the first line, so that the section reads, in effect:

"Nothing contained in this Act or the Civil Rights Act of 1964 shall be construed to authorize any department * * * to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution."

The plain language would seem to exempt all educational institutions as well as fraternities from title VI coverage.

Even with respect to fraternities, its ostensible object of protection, the Waggonner amendment seems based on a misapprehension. In accepting it, Chairman POWELL stated:

"I do not believe that there should be any withholding of funds from any institution

of higher education because of discriminatory practices on the campus by private clubs" (111 CONGRESSIONAL RECORD, 21130).

Discrimination by fraternities might constitute a violation of title VI of the Civil Rights Act requirements. This opinion is based on research showing, among other things, that at least half of all colleges with fraternities have a significant connection with fraternity housing, in many cases owning the fraternity buildings. In some cases Federal funds themselves have been used to build fraternity housing. In such instances the Waggonner amendment would authorize reinstatement of the separate-but-equal doctrine, by permitting universities to assign all dormitory space to fraternities with various racially restrictive admission policies.

Mr. MORSE. Mr. President, I call the attention of the Senator from Illinois [Mr. DIRKSEN] and the Senator from New York [Mr. JAVITS] to the fact that, although this bill passed in the House with the Waggonner amendment in it by an overwhelming majority, let us face it. A great many Members of the House did not know anything about the Waggonner amendment. We are all familiar with that in the legislative process. The amendment is in the bill and many Members are now waking up to the surprise that it is in there.

The Senator from Illinois implied—and I believe correctly so—that there may be some change in views in the House. Since the debate started, I received a note from a member of the House committee, who undoubtedly will be a conferee, and who is very much concerned about what we do in the Senate on this amendment.

I read a part of it without disclosing any identity:

Attached you will find the amendment offered by Mr. WAGGONNER. We have been advised that several adjustments will have to be made in conference to bring the language in line with the intent of the amendment and the Civil Rights Act. We have been advised that the proponents of the amendment are willing to consider such suggestion.

It appears to me that if you do nothing, then it would be possible in conference to rewrite the amendment since it would be a more restrictive provision than in the present House bill, and thus between our version and any version offered by the Senate, we would be able to work out an acceptable provision. As I said to you last night, "If you have to have an amendment, don't take the Waggonner amendment."

It is very easy to give the chairman of the committee such gratuitous instructions. However, I want the Senate to know this afternoon, before we come to a decision, that I shall not conceal anything from the Senate. Some Senators have already received telegrams, and know of the agitation that this is already stirring up among civil rights groups in the country.

I shall put the telegram in the RECORD. I shall not keep it from any Senator or from the public.

This is from Clarence Mitchell, director of the Washington bureau of the National Association for the Advancement of Colored People.

It reads:

WASHINGTON, D.C.,
September 2, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

We urge that the Senate defeat the Waggonner amendment if it is offered to the higher education bill. This amendment was accepted by the House in what appears to be a complete misunderstanding of the build-in mischief it contains. We have received calls from important universities pointing out that under the Waggonner amendment it would be possible to use U.S. Government funds to build and operate racially segregated facilities on university-owned grounds at institutions that do not now and never have tolerated racial discrimination in any form. It appears that the real intention of its sponsor is to whittle down the effect of title VI of the 1964 Civil Rights Act. It is reported that the amendment will be offered in the Senate by Senator RUSSELL LONG of Louisiana. We hope it will be defeated whether offered by him or anyone else.

CLARENCE MITCHELL,
Director,
Washington Bureau, NAACP.

There has been some talk about the relationship of universities to fraternities and sororities. Each one to his own view. I would not want my statement to close this afternoon if I did not point out that I think there is a place for social fraternities and sororities on campus, but there is not a place for social fraternities and sororities on campuses based upon a public policy inconsistent with the Civil Rights Act.

That is my personal opinion. I want the RECORD to show that. I believe that fraternities and sororities do not have to comply with what is considered to be the policy set forth in the Civil Rights Act. However, I do not want to be a party to any amendment that would permit a single cent from Federal taxpayers' money to be spent in furthering a social fraternity or sorority that discriminates because of race, color, or creed. I believe that we are pretty much in agreement on that point in the Senate.

The former Attorney General of the United States and now a member of my subcommittee the junior Senator from New York [Mr. KENNEDY], on whom I have leaned very heavily throughout the discussion and consideration of this higher education bill, makes a suggestion that I would like to have considered. It is to the effect that, instead of the language proposed by way of an addendum by the Senator from North Carolina, this language be woven into the amendment:

And whose activities are not financed directly or indirectly by public funds.

Has the Senator from North Carolina had that called to his attention as a substitute for that part of the amendment which relates to private funds?

Mr. ERVIN. Tha is what the amendment does now.

Mr. MORSE. That is what the Senator from Rhode Island [Mr. PASTORE] and I have said. However, the reply of the junior Senator from New York is that if it means that, what objection would we have to putting it in the negative, rather than to refer to private funds?

Mr. ERVIN. That is what the amendvolved in the question, for instance, that, if I am drawing a salary from the Federal Government, and have a son in a fraternity, and pay his expenses or his fraternity dues out of the salary which I receive from the Federal Government, those funds may be covered because indirectly Federal funds were used.

Mr. MORSE. If the amendment means this, we ought to be willing to say it. If the activities are not financed directly or indirectly by public funds, we ought to say it.

Mr. ERVIN. Mr. President, I am a Senator. I draw Federal funds.

If my son has entered a college and joined a fraternity and I pay his fraternity dues, that fraternity would, indirectly, perhaps, be getting Federal funds.

Mr. MORSE. I think my friend, great jurist that he is, knows that would not follow at all. This language deals with funds being spent by the Federal Government in the facilities of a fraternal sorority or fraternity on a given campus.

I call attention to the fact that the Senator from New York [Mr. JAVITS], a Member of my committee—and I am going to oblige members of my committee—suggested a short quorum call for a quick conference on the matter. After that quorum call I will tell the Senate what I propose.

What I would like to see done first is have a record made. I would prefer to have the Senator withdraw his amendment. The issue will be in conference, anyway. We can modify the language in any way that we want and modify it in conference, and merely go to conference on the basis of the decision made at the committee level, and in that way not take action on the matter here but go to conference. I would prefer to have the Senator withdraw his amendment. This matter will be in conference.

Mr. DIRKSEN. Mr. President, the amendment will not be withdrawn. I do not think it needs further refinement. Frankly, I am prepared to vote.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF THE SECRETARY OF THE TREASURY TO RELIEVE APPLICANTS FROM CERTAIN PROVISIONS OF THE FEDERAL FIREARMS ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside for a minute or two, and that the Senate turn to the

consideration of Calendar No. 648, H.R. 9570.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R 9570) to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the Act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an explanation of the bill may be printed in the RECORD prior to passage of the bill.

There being no objection, the extract (Rept. No. 666) was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to public interest and that the applicant would not be likely to conduct his operations in an unlawful manner.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JAVITS AND CARLSON RESOLUTION URGES STRENGTHENING OF INTER-AMERICAN SYSTEM

Mr. JAVITS. Mr. President, in the wake of the crisis in the Dominican Republic—a country we now hope is on the road to democratic stabilization—one fact has become painfully clear: The interest of the nations of the Americas is in collective responsibility and collective action for the accelerated development of the hemisphere in a progressive democratic framework. Therefore, I am introducing today, on behalf of myself and Senator CARLSON, of Kansas, a concurrent resolution which, if passed, will put the Congress on record for this policy.

We consider our neighbors to the south to be our partners—the era of the "good neighbor" or F.D.R.'s day has been succeeded by the era of the "good partner," or "buen socio." Yet, it is felt in many quarters in Latin America that when the United States moved into the Dominican Republic, we breached that policy and entered upon a new policy which Latin America is now trying to fathom. And there has been considerable talk in Latin America recently about the need for "independence" from the United States. President Frei, of Chile, and other leaders who agree with him do not speak to unresponsive ears in the United States when they assert that the inter-American system cannot be based upon U.S. hegemony—with which I feel the American people agree—or when they suggest that Western Europe become, as it has already, particularly through ADELA, which I initiated, more interested in Latin American development—which I feel the people of the United States also believe to be desirable. But Latin America cannot at the same moment look to us for the main resources needed for its accelerated development and for its security without recognizing our mutual importance to each other; just as the nations of Latin America are to be equal partners with us, so we are to be equal partners with them too.

Latin Americans must be offered a choice which is attractive to them, as well as to the United States and Canada. This choice must be increasing participation in the great decisions of the hemisphere—political, economic and social, and military.

And, it is also high time to bring actively into the inter-American family of nations our great partner to the north, Canada. In trade, national power and world responsibility, Canada belongs in the inter-American system, which is not complete without it. A prime objective of the diplomacy of the United States and every other country of the Americas should be to invite Canada to take the seat awaiting it in the Organization of American States.

In many ways we have recognized that, over the long term, the economic development and social progress of Latin America will enrich the lives, increase the security, and contribute to the political stability of the people of the Americas. Whatever its problems, the Alliance for Progress committed the nations of the Americas to a nonviolent, but accelerated economic and social revolution in Latin America. Great strides have already been made and, with renewed dedication, still greater economic and social gains are ahead.

But, the military and political aspects of American life have not kept pace with the social and economic aspects. The evolution of concept and philosophy that characterized the Alliance have not been matched by similar concepts designed to provide for military security and political stability in the hemisphere.

The resolution which is introduced today, in addition to declaring once again the determination of the United States to encourage and support accelerated economic development and social progress in the Americas, in accordance with the principles of the Alliance for Progress, seeks to focus attention on problems we shall have to face up to even before the results of the Alliance are fully visible—problems of military security and political stability which Santo Domingo laid bare.

The two basic problems are these:

First. How can the inter-American system best deal with subversion, whether Communist or ultrarightist?

Second. How can the American States counter political instability resulting from the overthrow of Democratic governments by the Communists or the ultraright?

The problem of Communist subversion on a large scale is relatively new to this hemisphere, whereas a rapid turnover of governments and the seizure of power by dictators have been features of the Latin American scene for decades. But, it is the concurrence of these two factors, in the current economic and social atmosphere of present day Latin America, which now threatens Central and South America with massive and violent governmental upheavals.

The American States have tried for years to cope with this danger, and thought they had made great progress. But it was Santo Domingo which revealed how inadequate still remain the instruments of the American system at our command. It was Santo Domingo which demonstrated that the inter-American system is not yet fully prepared to deal with the kind of situation it faced in early April.

I

One significant development which could result from Santo Domingo is a heightened realization on the part of the nations of this hemisphere that the inter-American security system needs strengthening. The United States moved into the Dominican Republic—initially to save lives and subsequently to prevent a Communist takeover—alone. On the basis of evidence gathered by U.S. sources, the U.S. Government made the decision to use U.S. forces in Santo Domingo. Whether the evidence warranted the U.S. action will be argued for a long time. The fact remains that we did go in. This is no reason to believe the United States moved unilaterally with any special enthusiasm—we are long past the days of gunboat diplomacy, which is as unpopular in the United States as in the rest of the Western Hemisphere. The United States had no interest in sharpening either domestic divisions or international criticisms relating to the conduct of our foreign policy. Yet, however reluctantly, the United States did act to fill what was considered to be a power vacuum into which the OAS was not prepared to move in time.

There is no question that once it was seized of the issue, the OAS moved with great diligence within the limits of its authority and possibilities under the circumstances. By its handling of the

Cuban missile crisis, the OAS has also shown with what remarkable speed it can make decisions when the danger is perceived as clear and present. But it just did not have at its disposal the means to take immediate and effective action in Santo Domingo.

The concern now is not so much whether there was or was not a substantial and significant danger of a Communist takeover in Santo Domingo. The fact is that other situations are likely to occur in Latin America in which conclusions will be hard to draw from incomplete and contradictory evidence. The real question is how to handle these problems in the future. Rather than simply to protest the unilateral nature of the initial U.S. involvement in the Dominican Republic, it is now more constructive for the nations of this hemisphere to decide on a means to deal together with the growing problem of subversion in the Americas. Collective responsibility and collective action for the security of the hemisphere is the only alternative to unilateral U.S. action.

Attempting to create a realization of the need to face the facts of contemporary life in the Americas and to provide a multilateral system with the means to react in time in a crisis is not just a matter of persuading others to do our job with us or take the onus of intervention off our shoulders. The American Republics have time and time again declared their devotion to the ideals of self-determination and democratic government and recognized that it is in the interest of all to prevent the emergence of regimes allied with extra-hemispheric powers hostile to the proclaimed goals of the inter-American system or based on military takeover. The stake of Latin America is as great as, and more direct than, the stake of the United States in the fulfillment of these goals.

The task is now to develop the means of dealing with the problem of hemispheric security both effectively and collectively.

Agreement on the methods and procedures of collective action for hemispheric security against subversion will not be easy to arrive at. The establishment of any properly functioning and truly multilateral security system would have to overcome a variety of sizeable obstacles. But something of this nature must be done; together the American states must begin now to work for a solution. I propose that they do so and that high on the agenda for discussion, for example at the forthcoming Foreign Ministers' Conference, be a project for a defense alliance of the Americas with a multilateral organization having the means readily available to preserve freedom and self-determination in this hemisphere.

II

An aspect of the status of democracy in Latin America which was vividly brought home by Santo Domingo is the number of Latin American countries that still lack constitutional, democratic governments.

Nine military coups have occurred in Latin America since the beginning of 1962. It may be argued very convincingly that not all of these takeovers were necessarily undesirable. But it may be argued with equal persuasiveness that, however, transitional may be the entry of the military into the political affairs of some Latin countries, in their totality these coups are a manifestation of continued political instability which has become increasingly damaging to Latin America's development and should therefore inspire great hemispheric concern.

While military takeovers are just one symptom of the political instability which afflicts so much of Latin America, they are so important and, in a sense, so historic a symptom that in some countries they have tended to become a cause, as well as a result, of the underlying political problems. In some cases they seem to perpetuate those problems to such a degree that a succession of military juntas turns into a form of government—even a form of government having the passive consent of the people.

The short-run consequences of a military takeover in a particular country may not always be wholly undesirable. To an important extent, the immediate advantages or disadvantages of any specific coup to the country in which it takes place must be measured with an eye to what went before and what is likely to follow. Even so, the uncertainty which frequently follows the overthrow of an established government may be slow to dissipate, and in many instances the momentum of a development program tends to be seriously slowed down by the mere disruption of normal procedures and relationships following an abrupt political shift.

But the real danger is in the continued erosion of the hope and faith of the people in the viability of democratic government; in the comparative ease with which successive coups can follow the path broken by prior ones; and in the frequent or prolonged absence of the democratic experience.

There are those who have already abandoned hope in democratic development in Latin America as a whole, preferring to place their reliance instead on the young, progressive brand of military government which has emerged in some places in the hemisphere in recent years. The economic and social goals of the Alliance for Progress, it is said, may more quickly and easily be reached by the methods available to such governments than by the trials and errors of democracy. But while some significant reforms have undoubtedly been pushed through by military regimes in certain Latin American countries, and while a progressive military regime is of course preferable to a reactionary one, the promotion and encouragement of Latin American military regimes in politics is not a policy goal for which many civilians in the Americas could feel much enthusiasm.

The question is what can be done—a question which, incidentally, has taxed some of the best minds of the hemisphere for decades. The resolution suggests that we encourage common efforts to come to grips with the issue, and it also tries to attack the problem at its most pernicious point—the unconstitutional overthrow of freely elected, constitutional, democratic governments which have not become dictatorships or jeopardized their countries' security.

There is no specific effort in this resolution to spell out measures against existing takeover governments, though the possibility of adjusting the hemispheric attitude toward such regimes should be the basis of discussion among the American States. But it does attempt to declare our opposition to the crushing of truly democratic governments in Latin America. It does suggest a procedure whereby, in consultation with the other OAS members and with Canada, this opposition might be of some effect in protecting democratic governments from overhasty takeover by military regimes, and in restoring democratic government where it has fallen.

There is no question that a matter of such complexity and individual variation must be dealt with with great flexibility. The resolution, therefore, merely expresses the sense of Congress that the United States should encourage and support consultations among the members of the inter-American system and with Canada to consider together the advisability of withholding the immediate establishment of diplomatic relations and extension of aid to regimes which come to power by crushing truly democratic governments. But more than anything else, I believe it is necessary to put the United States on record as judging it wise to take a hard look—together with Canada and the Latin American States—at these regimes, before deciding how to treat with them.

It may under certain circumstances seem necessary, after the consultations provided for by this resolution, to provide support for regimes of this kind; the terms of the resolution would not prevent this. It may also, on other occasions, be believed to be in the interest of the United States to provide immediate aid to such regimes. Nevertheless, I believe it is ultimately in the interest of the United States and the hemisphere to retain whatever influence we and the other OAS members have had in the nation concerned, not merely by keeping our foot in the door, but by taking action on the basis of collective consultation to encourage a more rapid return to constitutional and democratic government.

The experience of Santo Domingo suggests that common efforts to deal with this problem require immediate consideration at the highest level.

Like the economic and social aspects of Latin America, the military and political aspects which I have discussed must be dealt with increasingly on a multilateral basis. Not only will collective action in all these areas be more effective, but collective responsibility will tend to obviate the need for unilateral United States action in matters of great hemispheric concern.

United States interest cannot be gainsaid—the United States affects Latin America enormously. The United States is a most enduring fact of life in Latin America—and we are just not going to fade away. But the United States does

erty when the Government has provided authority for the same loss. If this rationale were to be applied, the Government would be absolved of paying the claims which are the subject of the provisions referred to in this bill. There appear to be no insurance policies which provide for a $6,500 deduction so as to permit the coverage of losses over and above the statutory limitation for a claim. The committee has found that full insurance coverage of the "floater type" on certain large and valuable items is very expensive and is actually beyond the means of the lower ranks of military personnel. Further, it is simply not available during movements to some oversea areas. This committee further recognizes that a requirement for the purchase of insurance has the practical effect of imposing additional costs and hardships on personnel incident to their repeated service-directed moves. It must also be recognized that the cheap "trip transit" policies offer very little if any protection. Where such policies provide for partial insurance coverage, personnel have at times discovered that they were, in effect, coinsuror of a part of their loss, since partial insurance was taken as stating their property at less than its value.

"In its study of the claims settlement authority proposed in this bill, the committee has been concerned with a number of aspects in the administration of that authority. On repeated occasions, representatives of the military services have appeared before this committee's Subcommittee on Claims to explain procedures in given cases and to describe the procedures followed by each service in settling such claims. The 20-year period of the exercise of this authority by the military provides a firm basis for regulations and procedures which insure a competent administration of the statutory authority for claims settlement. As is the case in the administrative settlement of most claims, the most vital part of the process is the initial investigation and adjudication of the claim. It is at this point that the experience and personnel of the military departments and the Coast Guard have proved their competency in this area. This committee is confident that the increase of settlement authority to $10,000 is clearly required as to the military departments and the Coast Guard and that these departments have the personnel, the experience, and the well-defined procedures necessary for the most efficient use of such increased authority. This committee is also reassured by the fact that the military services provide for a review of such claims by legally trained personnel.

"As can be seen from the foregoing discussion, the primary need for increased claims settlement authority is to be found in the military services. Furthermore, there must be a frank recognition that claims settlement in the military services in many cases is to be distinguished from the civilian analogy. Among these considerations is the morale of the individual service member and the requirement for a prompt settlement of the loss or damage that he may suffer. The committee has found that the procedures of the military service may be different than those ultimately evolved for the civilian agencies. In reporting the bill, H.R. 6910, which ultimately was enacted into law, as the Military Personnel and Civilian Employees' Claims Act of 1964, this committee stated in House Report No. 460 of the 88th Congress that:

" '[I]t is also relevant to observe that the experience of the military departments and the Coast Guard in administering the present military personnel claims provisions and the regulations promulgated by those departments to implement those provisions have served to establish guidelines and standards which will aid in the application of the extended coverage of the provisions as contained in this bill.'

"However, it now appears that the civilian agencies have recommended procedures which are at variance with those previously followed by the military departments and the Coast Guard. The committee, therefore, has recommended amendments which would provide for separate authority for the military departments in subsection (a) of the Military Personnel and Civilian Employees' Claims Act of 1964 and the civilian agencies in subsection (b) of that act. In order to provide for a uniformity of policy concerning the civilian agencies the committee has further recommended that the regulations promulgated to implement the authority granted the civilian agencies be made subject to uniform policies prescribed by the President. The civilian agencies were first granted the authority to settle claims for losses of personal property on August 31, 1964, the date of approval of the Military Personnel and Civilian Employees' Claims Act of 1964. The committee has concluded that in view of this fact it would be a wiser course to keep the statutory limitation of $6,500 in force as to the civilian agencies. Due to the short history of the exercise of this authority by the various civilian agencies of the Government, it is felt that any question of increase of existing authority should be deferred until the various agencies have developed their procedures and have had a longer period of experience in administration of this claims settlement authority.

"At the March 10, 1965, hearing, the retroactive feature of this bill was also discussed. Section 4 of the bill provides that the additional claims settlement authority created by amendments to section 2732 of title 10, section 490 of title 14, and the Military Personnel and Civilian Employees' Claims Act is to be available for the reconsideration and settlement of claims which were timely filed and settled under those statutes on and after July 2, 1962. This means that the retroactive application would only apply to claims that were fully investigated and adjudicated by the services. Any person seeking a reconsideration of a claim which was not fully paid because of the limitation as to amount would be required to make a written request for such reconsideration within 1 year of the effective date of the act. This committee recognizes that this provision for retroactive application is required to extend equal treatment to those who may have suffered heavy losses prior to the effective date of the amendments added by this bill. However, it is also well to limit the period for the reconsideration of claims of this nature so that the whole question of previous claims can be resolved in a reasonable time.

"The testimony presented at the hearing and the information included in the executive communication establish the fact that the potential cost of a reconsideration of claims has been ascertained by the military services. This is the top figure and, as has been noted, only claims where a request would be filed within a statutory 1-year period would be reconsidered, so that it could be anticipated that not all potential claims would be reconsidered. However that might be, military records show the outstanding unpaid balances, the figures have been collected and result in a total of $327,126.86. There is a potential of about 195 claimants who might file for reconsideration.

"On the basis of the considerations outlined in the executive communication of the Department of the Air Force, the testimony presented in connection with this bill and bills dealing with the same problem over the years, this committee feels that the amendments provided for in the bill are necessary for a proper administration of the law. This bill has been the subject of careful review and study by the subcommittee to which it was assigned and the committee amendments have been drafted to meet the problems presently being encountered in this area of claims administration. It is, therefore, recommended that the bill with the amendments recommended by the committee be considered favorably."

The committee believes that the bill, as recommended by the Department of Defense and as amended by the House of Representatives, is meritorious and recommends it favorably.

CHING ZAI YEN

The bill (S. 803) for the relief of Ching Zai Yen and his wife, Faung Hwa Yen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 803

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ching Zai Yen and his wife, Faung Hwa Yen, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 656), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Ching Zai Yen and his wife, Faung Hwa Yen. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

TIMOTHY WILLIAM O'KANE

The bill (S. 1168) for the relief of Timothy William O'Kane was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, the provisions of sections 201(a), 202(a)(5) and 202(b)(4) of that Act shall not be applicable in the case of Timothy William O'Kane.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 657), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary who is of Chinese descent, to qualify for an immigrant visa as a native of Canada, the country of his birth.

DR. JORGE ROSENDO BARAHONA

The bill (H.R. 1402) for the relief of Dr. Jorge Rosendo Barahona was con-

sidered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 658), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jorge Rosendo Barañona as of October 3, 1960, the date on which he was admitted as a nonimmigrant.

MRS. OLGA BERNICE BRAMSON GILFILLAN

The bill (H.R. 1443) for the relief of Mrs. Olga Bernice Bramson Gilfillan was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 659), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to provide for restoration of U.S. citizenship in behalf of Mrs. Olga Bernice Bramson Gilfillan, which was lost by her failure to return to the United States prior to her 23d birthday.

ESTERINA RICUPERO

The bill (H.R. 1627) for the relief of Esterina Ricupero was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 660), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who is feebleminded in behalf of the daughter of a U.S. citizen father and a lawful resident alien mother. The bill provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

WINSOME ELAINE GORDON

The bill (H.R. 1820) for the relief of Winsome Elaine Gordon was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 661), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child to be adopted by citizens of the United States. The bill also provides that the beneficiary may adjust her status in the United States notwithstanding the fact that she is a native of an adjacent island.

JOO YUL KIM

The bill (H.R. 2678) for the relief of Joo Yul Kim was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 662), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child to be adopted by citizens of the United States. The bill also provides that the provision of law limiting to two the number of alien children to be adopted shall not be applicable in this case.

DOROTA ZYTKA

The bill (H.R. 2871) for the relief of Dorota Zytka was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 663), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the admission to the United States in a nonquota status of an alien child to be adopted by citizens of the United States.

CONSUELO ALVARADO DE CORPUS

The bill (H.R. 3292) for the relief of Consuelo Alvarado de Corpus was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 664), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to an alien who has assisted other aliens to enter the United States in violation of the law in behalf of the wife of a U.S. citizen.

MRS. KAZUYO WATANABE RIDGELY

The bill (H.R. 6719) for the relief of Mrs. Kazuyo Watanabe Ridgely was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 665), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has been convicted of a violation of narcotic laws in behalf of the wife of a U.S. citizen serviceman.

BILL PASSED OVER

The bill (H.R. 9570) to amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the act if he determines that the granting of relief would not be contrary to the public interest and that the applicant would not be likely to conduct his operations in an unlawful manner, was announced as next in order.

Mr. MORSE. Over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

WINNIFRED EVADNE NEWMAN

The Senate proceeded to consider the bill (S. 481) for the relief of Winnifred Evadne Newman which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "States", to insert a colon and *"Provided,* That the natural mother of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Winnifred Evadne Newman shall be held and considered to be the alien minor child of Cedric S. Newman, a citizen of the United States: *Provided,* That the natural mother of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 667), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the illegitimate daughter of a U.S. citizen to enter the United States as a nonquota immigrant, which is the status normally enjoyed by the alien minor children of U.S. citizens. The bill has been amended in accordance with the suggestion of the Commissioner of Immigration and Naturalization to provide that the natural mother of the beneficiary shall not be accorded any right, privilege, or status under the Immigration and Nationality Act.

HENRYKA LYSKA

The Senate proceeded to consider the bill (S. 779) for the relief of Henryka Lyska which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert: